

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

LAURA VANCE,)
)
Plaintiff(s),)
)
vs.) CV-10-036-LRS
)
MARK T. CASE, and JANE DOE)
CASE, husband and wife;)
SUTTELL & HAMMER, P.S.;)
SUTTELL & ASSOCIATES, P.S.;)
CAITLIN R. FINLEY and JOHN DOE)
FINLEY, wife and husband; and)
MALISA L. GURULE and JOHN DOE)
GURULE, wife and husband,)
)
Defendant(s).)

30(b)(6) VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION OF
SUTTELL & HAMMER
KAREN HAMMER

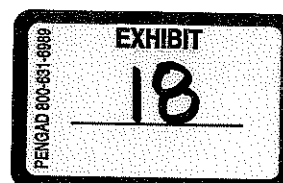
9:16 A.M.

SEPTEMBER 16, 2010

1200 FOURTH AVENUE, SUITE 1820

SEATTLE, WASHINGTON

REPORTED BY: CARLA R. WALLAT, CCR 2578



A P P E A R A N C E S

FOR THE PLAINTIFF:

MICHAEL D. KINKLEY
Michael D. Kinkley, P.S.
4407 N. Division, Suite 914
Spokane, WA 99207
209.484.5611
mkinkley@qwestoffice.net

FOR THE DEFENDANTS:

CARL E. HUEBER
Winston & Cashatt
601 W. Riverside, Suite 1900
Spokane, WA 99201
509.838.6131
chueber@winstoncashatt.com

ALSO PRESENT: CAT RENY, Video Operator

* * *

The parties are entering into agreement regarding a
process for claiming confidentiality. The parties have
agreed to enter a protective order and certain portions
of this deposition will be marked confidential by
counsel.

* * *

I N D E X

EXAMINATION BY:	PAGE(S)
MR. KINKLEY	5

EXHIBITS FOR IDENTIFICATION	MARKED/IDENTIFIED
-----------------------------	-------------------

A	Amended 30(b)(6) Notice of Deposition -	4
	Defendant Suttell & Hammer, P.S.	
1	Email from Laugen to Wilkinson,	16
	11/10/2009, Bates Suttell 46-47	
2	Email from Laugen to Wilkinson,	
	11/10/2009, Bates Suttell 48-49	
4	Declaration of Mark T. Case	58
100	Motion and Declaration for Order for	74
	Examination and Order to Show Cause for a	
	Judicial Subpoena signed by Caitlin Finley	
101	Motion and Declaration for Order for	
	Examination and Order to Show Cause for a	
	Judicial Subpoena signed by Malisa L.	
	Gurule	
102	Collection Notes, Bates Suttell 1-19	19

1 A. It is correct.

2 Q. Okay. The statement that the judgment
3 creditor has an unsatisfied judgment balance against
4 the judgment debtor in an amount exceeding \$25 is not
5 true; isn't that correct?

6 A. It was true to her knowledge, but it was not
7 true -- well, I mean, it was true to her knowledge.

8 Q. Okay.

9 A. At the time she made the declaration.

10 Q. Is it or is it -- was it or was it not true on
11 February 6, 2009 that the judgment creditor had an
12 unsatisfied judgment balance against the judgment
13 debtor in an amount exceeding \$25?

14 A. I don't understand how many times I need to
15 say that we misapplied the check, and so in our system
16 it still said there was a judgment balance owing.

17 And --

18 Q. Okay. You will admit that this statement --

19 MR. HUEBER: Please let her finish her
20 answer.

21 Q. (BY MR. KINKLEY) Go ahead --

22 MR. KINKLEY: I thought she was done.

23 A. And so with the information that the declarant
24 had at the time of making the declaration, she had no
25 information otherwise.

1 Q. Thank you.

2 MR. KINKLEY: And we'll pick this up on
3 September 30th.

4 THE VIDEOGRAPHER: We are now -- done?

5 MR. KINKLEY: Yeah, go off the record.

6 THE VIDEOGRAPHER: We are now off the
7 record at 11:52 a.m. This is the end of Segment 4.

8 (Deposition adjourned at 11:52 a.m.)

9 (Signature was reserved.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

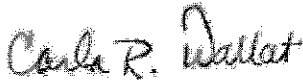
KAREN HAMMER

REPORTER'S CERTIFICATE

I, CARLA R. WALLAT, the undersigned Certified Court Reporter pursuant to RCW 5.28.010 authorized to administer oaths and affirmations in and for the State of Washington, do hereby certify:

That the sworn testimony and/or proceedings, a transcript of which is attached, was given before me at the time and place stated therein; that any and/or all witness(es) were duly sworn to testify to the truth; that the sworn testimony and/or proceedings were by me stenographically recorded and transcribed under my supervision, to the best of my ability; that the foregoing transcript contains a full, true, and accurate record of all the sworn testimony and/or proceedings given and occurring at the time and place stated in the transcript; that I am in no way related to any party to the matter, nor to any counsel, nor do I have any financial interest in the event of the cause.

WITNESS MY HAND AND DIGITAL SIGNATURE this 24th day of September, 2010.



CARLA R. WALLAT
Washington State Certified Court Reporter, #2578
cwallat@yomreporting.com

Click Link to Verify Signature:

(<https://digitalid.verisign.com/services/client/index.html>)